

HOUSE BILL NO. 51

INTRODUCED BY D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PERSON WHO REGISTERS A LIGHT VEHICLE MAY ELECT TO PAY, RATHER THAN ELECT TO NOT PAY, AN ADDITIONAL FEE OF \$4 TO BE USED FOR STATE PARKS, FOR FISHING ACCESS SITES, AND FOR THE OPERATION OF STATE-OWNED FACILITIES; AMENDING SECTION 61-3-321, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-3-321, MCA, is amended to read:

"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration fees -- disposition of fees. (1) Except as otherwise provided in this section, registration fees must be paid upon registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers, semitrailers, and pole trailers as provided in subsections (2) through (19):

(2) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

(a) if the vehicle is 4 or less years old, \$217;

(b) if the vehicle is 5 through 10 years old, \$87; and

(c) if the vehicle is 11 or more years old, \$28;

(3) Except as provided in subsection (14), the one-time registration fee based on the declared weight of a trailer, semitrailer, or pole trailer is as follows:

(a) if the declared weight is less than 6,000 pounds, \$61.25; or

(b) if the declared weight is 6,000 pounds or more, \$148.25.

(4) Except as provided in subsection (14), the one-time registration fee for motor vehicles owned and operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:

(a) 2,850 pounds and over, \$10; and

(b) under 2,850 pounds, \$5.

(5) Except as provided in subsection (14), the one-time registration fee for off-highway vehicles other than a quadricycle or motorcycle is \$61.25.

(6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.

(7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:

(i) less than 2 years old, \$282.50;

(ii) 2 years old and less than 5 years old, \$224.25;

(iii) 5 years old and less than 8 years old, \$132.50; and

(iv) 8 years old and older, \$97.50.

(b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee under this section may permanently register the motor home upon payment of:

(i) a one-time registration fee of \$237.50; and

(ii) if applicable, five times the renewal fees for personalized license plates under 61-3-406.

(8) (a) Except as provided in subsection (14), the one-time registration fee for motorcycles and quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

(b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

(9) Except as provided in subsection (14), the one-time registration fee for travel trailers, based on the length of the travel trailer, is as follows:

(a) under 16 feet in length, \$72; and

(b) 16 feet in length or longer, \$152.

(10) Except as provided in subsection (14), the one-time registration fee for a motorboat, sailboat, personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:

(a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length, \$65.50;

(b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in length, \$125.50; and

(c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

(11) (a) Except as provided in subsections (11)(b) and (14), the one-time registration fee for a snowmobile is \$60.50.

(b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose of daily rental to customers is assessed:

1 (A) a fee of \$40.50 in the first year of registration; and

2 (B) if the business reregisters the snowmobile for a second year, a fee of \$20.

3 (ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently
4 registered and the business is assessed the registration fee imposed in subsection (11)(a).

5 (12) A fee of \$5 must be collected when a new set of standard license plates, a new single standard
6 license plate, or a replacement set of special license plates required under 61-3-332 is issued. The \$5 fee
7 imposed under this subsection does not apply when previously issued license plates are transferred under
8 61-3-335. All registration fees imposed under this section must be paid if the vehicle to which the plates are
9 transferred is not currently registered.

10 (13) The provisions of this part with respect to the payment of registration fees do not apply to and are
11 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled
12 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle
13 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(c), (1)(d), (1)(e),
14 (1)(f), (1)(g), (1)(i), (1)(j), (1)(l), or (1)(m), 15-6-203, or 15-6-215, except as provided in 61-3-520.

15 (14) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle,
16 quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile,
17 or motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411 is transferred, the new
18 owner shall title and register the vehicle or vessel as required by this chapter and pay the fees imposed under
19 this section.

20 (15) A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

21 (16) Except as otherwise provided in this section, revenue collected under this section must be deposited
22 in the state general fund.

23 (17) The fees imposed by subsections (2) through (11) are not required to be paid by a dealer for the
24 enumerated vehicles or vessels that constitute inventory of the dealership.

25 (18) (a) ~~Unless~~ If a person exercises the option in subsection (18)(b), an additional fee of \$4 must be
26 collected for each light vehicle registered under this part. This fee must be accounted for and transmitted
27 separately from the registration fee. The fee must be deposited in an account in the state special revenue fund
28 to be used for state parks, for fishing access sites, and for the operation of state-owned facilities. Of the \$4 fee,
29 the department of fish, wildlife, and parks shall use \$3.50 for state parks, 25 cents for fishing access sites, and
30 25 cents for the operation of state-owned facilities at Virginia City and Nevada City.

(b) A person who registers a light vehicle may, at the time of annual registration, ~~certify that the person does not intend to use the vehicle to visit state parks and fishing access sites and may~~ make a written election ~~not to pay the additional \$4 fee provided for in subsection (18)(a). If a written election is made, the fee may not~~ must be collected.

(19) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle, quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$5 must be collected and forwarded to the state for deposit in the account established in 44-1-504.

(20) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by 61-3-721."

NEW SECTION. **Section 2. Effective date.** [This act] is effective January 1, 2010.

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